



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
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Minutes
June 10, 2014
APPROVED

Present:

BM: Brian Martin **PM:** Pat Mical **JK:** Jeff Kablik **JE:** Jerry Earl **ES:** Ed Smith
MM: Matt Marro

Absent:

LG: Lucy Gertz **LB:** Linda Bown

Attachments:

1. Agenda
2. 209 Westford Rd. NOI Filing
3. 209 Westofrd Rd. Pictometry Photo – 11/13/08
4. 47 Flint Rd. NOI filing
5. 47 Flint Rd. Pictometry Photo – 11/13/08
6. 250 Pawtucket Blvd. Paving Project Plans – 5/27/14
7. 126 Norris Rd. Pictometry Photo – 11/17/08
8. 72 Tyng Rd. (Innovation Academy) Gales Associates Stormwater Permit Close-out letter – 10/4/13
9. 11 Oak St. Director's Inspection Report – 5/23/14
10. 72 Tyng Rd. Director's Inspection Report – 5/7/14
11. MM Email regarding 125 Mascuppic Trail Tree Removal

7:00pm BM opened meeting

7:02pm **209 Westford Rd. (M15, P5A, L0) – Notice of Intent, DEP# 309-0873** to raze existing home and construct a new single family dwelling with a new paved driveway.

JK: Motion to waive the reading of the abutters list and legal notice.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

BM disclosed that he serves on the Sewer Commission with the applicant's engineer Jeff Hannaford.

Engineer Jeff Hannaford appeared before the Commission for the applicant Paul Winchester. Mr. Hannaford explained that this property is a foreclosure. The intent is to raze the existing 2-family home and building a new single family dwelling. A Letter of Map Revision (LOMR) was filed with FEMA and they have received conditional approval from FEMA. Once an as-built plan is submitted to FEMA, the LOMR will be finalized. Mr. Hannaford did note, however, that there would be no filling in the flood plain so there is no requirement to file with the Planning Board. He went on to say that the work is only being performed in the buffer zone. MM reported that the plans look good and recommended a Standard Order of Conditions. He went on to say that there are Real Estate taxers due on the property. Mr. Hannaford added that they will be paid at the closing. There were no abutters present to speak for or against this project.

JE: Motion to close the public portion of the hearing

PM: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

JK: Motion to issue a Standard Order of Conditions for DEP# 309-0873 per plans dated 5/27/14 with the condition that a Municipal Lien Release be submitted prior to construction.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

7:15pm **47 Flint Rd. (M20A, P38, L0) – Notice of Intent, DEP# 309-0874** for the proposed construction of a 26' x 35.5' 2-story addition.

JK: Motion to waive the reading of the abutters list and legal notice.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

BM disclosed that he serves on the Sewer Commission with the applicant's engineer Jeff Hannaford.

Engineer Jeff Hannaford appeared before the Commission for the applicant. The project consists of building a 2-story addition onto an existing home. The work is proposed to be in a previously disturbed area and would be in the buffer zone only. He went on to say that there would be no filling in the flood plain so there would be no requirement to file with the Planning Board. Mr. Hannaford added that they have received a variance from the ZBA for this project. MM noted that the plans look good and would recommend a Standard Order of Conditions. There were no abutters present to speak for or against this project.

JE: Motion to close the public portion of the hearing

PM: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

JK: Motion to issue a Standard Order of Conditions for DEP# 306-0874 for 47 Flint Rd. per plans dated 5/22/14.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

7:30pm **250 Pawtucket Blvd., GLTHS (M34, P6, L0) – Request for Determination of Applicability**
for the repair & replacement of the existing pavement and curbing around the school.

JE: Motion to waive the reading of the abutters list and legal notice.

JK: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Engineer David Conway appeared before the Commission for the applicant. Mr. Conway explained that this project is simply a re-pavement of all of the existing parking lot areas on the school grounds. There will be no changes in any of the grading or drainage. MM recommended a Negative Determination as there would be no adverse affects to the buffer zone. There were no abutters present to speak for or against this project.

JE: Motion to close the public portion of the hearing

JK: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

JK: Motion to issue a Negative Determination for 250 Pawtucket Blvd. for the re-paving of the parking lot areas.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

7:40pm **126 Norris Rd. (M24, P14, L7) – Request for a Certificate of Compliance, DEP# 309-354.**
Order of Conditions issued 1/24/1996.

MM reported that this project was completed and in compliance and recommends issuing the Certificate.

JK: Motion to issue a Certificate of Compliance for 126 Norris Rd., DEP# 309-354.

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

7:45pm **72 Tyng Rd. (M28, P63, L0), Innovation Academy Charter School – Track & Field Stormwater**
Permit Close-Out. Permit issued 7/10/2012.

MM reported that this project is complete and in compliance. Recommended issuing the close-out.

JK: Motion to issue a Stormwater Management Permit Certificate of Release for the Track & Field project at 72 Tyng Rd.

PM: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Director's Reports

- **72 Tyng Rd. (Innovation Academy)** – Restoration/Replication Order of Conditions, DEP# 309-0867 – MM reported that this project was very well done and is mostly done. All that remains is for the new growth.
- **11 Oak St.** - Driveway paving project is not in the buffer zone.

Discussion:

- **Sherburne Nature Center/Trails Committee Update** – No report.
- **Kendall Rd. Land Donation** – Nothing new to report.
- **17 Makos St.** - Tara Lombardo: Ms. Lombardo is purchasing this home and due to the BVW nearby she just wanted to get feedback from the Commission regarding any improvements to the yard.

Administrative:

1. Minutes:

JK: Motion to approve the minutes as written from the May 27, 2014 meeting

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

2. New Business:

125 Mascuppic Trail Director's Determination: MM informed the Commission that the homeowner contacted him this afternoon regarding some trees that were in damaged by storms that needed to be removed before they fell on his home.

JK: Motion to approve the Director's Determination for 125 Mascuppic Trail

JE: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

8:10pm

ES: Motion to adjourn

PM: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 2

Passes: 5-0-2

Respectfully for the Conservation Commission,

Pamela Berman
Administrative Assistant